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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 MAY -3 P 2: 52

Arizona Corporation Commission

DOCKETED

MAY 03 2005

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF
ACC TELECOMMUNICATIONS, LLC dba
ADELPHIA FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
INTRASTATE, FACILITIES-BASED, NON-
SWITCHED, DEDICATED POINT-TO-POINT
DATA TRANSPORT TELECOMMUNICATIONS
SERVICES IN THE STATE OF ARIZONA AND
PETITION FOR COMPETITIVE
CLASSIFICATION OF PROPOSED SERVICES.

DOCKET NO. T-04282A-04-0763

PROCEDURAL ORDER

BY THE COMMISSION:

On October 22, 2004, ACC Telecommunications, LLC dba Adelphia ("Applicant" or "ACCT") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity to provide intrastate, facilities-based, non-switched, dedicated point-to-point data transport telecommunications services within the State of Arizona. The application petitioned the Commission for determination that its proposed services should be classified as competitive.

On March 1, 2005, the Commission's Utilities Division Staff ("Staff") filed a Staff Report recommending approval of ACCT's application.

On March 10, 2005, a Procedural Order was issued setting a hearing for May 2, 2005 and requiring publication of notice of the hearing.

On April 5, 2005, an Affidavit of Publication was filed certifying that notice of the hearing on the application was published in *The Arizona Republic* on April 1, 2005.

No intervention requests were filed.

The hearing was convened as scheduled on May 2, 2005. No members of the public appeared to provide comment. Staff appeared through counsel. Applicant failed to appear.

The hearing should be continued and the timeclock for a Commission Decision on the application should be extended accordingly. If applicant fails to appear again, the application should be dismissed.

IT IS THEREFORE ORDERED that the hearing on the above application and petition of Applicant is hereby continued to **May 26, 2005 at 2:30 p.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the timeclock in this matter is hereby suspended pending the continuation of the hearing.

IT IS FURTHER ORDERED that if Applicant fails to appear at the time and date set for the continuation of the hearing on the application, the application will be dismissed.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

DATED this 30 day of May, 2005.


TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

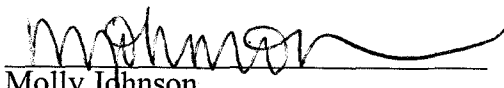
Copies of the foregoing mailed/delivered this 3 day of May, 2005 to:

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By: 
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Secretary to Teena Wolfe